

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, MAY 6, 2013
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. – PURCHASE OR LEASE OF REAL PROPERTY FOR THE USE OF THE CITY OF ELMHURST.

1. Executive session was called to order at 7:03 p.m. by Acting Mayor Levin for the purpose of discussing Purchase or Lease of Real Property for the Use of the City of Elmhurst.

Present: Diane Gutenkauf, Bob Dunn, Norman Leader, Dannee Polomsky, Michael J. Bram, Steve Hipskind, Kevin L. York, Scott Levin, Chris Healy, Steve Morley, Jim Kennedy, Mark A. Mulliner, Patrick Wagner

Absent: Paula Pezza

Also in attendance: City Attorney Storino, City Manager Grabowski, Assistant City Manager Kopp, City Attorney Peppers, Alderman-Elect Deuter, Treasurer-Elect Libovicz

Alderman Bram moved to convene into executive session for the purpose of discussing Purchase or Lease of Real Property for the Use of the City of Elmhurst. Alderman Morley seconded.

Ayes: Bram, Morley, Kennedy, Mulliner, Wagner, Gutenkauf, Dunn, Leader, Polomsky, Hipskind, York, Healy

Nays: None

13 ayes, 0 nays, 1 absent
Motion duly carried

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 140

2. a. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The Regular Meeting of the Elmhurst City Council was called to order by Acting Mayor Levin at 7:30 p.m.

b. INAUGURATION OF NEWLY ELECTED AND RE-ELECTED OFFICIALS - SCOTT M. LEVIN PRESIDING

Acting Mayor Levin administered the Oath of Office for the re-elected and newly elected officials elected by the residents of the City of Elmhurst at the April 9, 2013 Consolidated Election.

The following City Officials and Aldermen were sworn in:

Marti Deuter	First Ward Alderman, four (4) year term
Norman Leader	Second Ward Alderman, four (4) year term
Michael J. Bram.....	Third Ward Alderman, four (4) year term
Kevin L. York.....	Fourth Ward Alderman, four (4) year term
Chris Healy	Fifth Ward Alderman, four (4) year term
Jim Kennedy	Sixth Ward Alderman, four (4) year term
Patrick Wagner.....	Seventh Ward Alderman, four (4) year term
Elaine Libovicz	City Treasurer, four (4) year term
Patty Spencer	City Clerk, four (4) year term
Steven M. Morley.....	Mayor, four (4) year term

c. ROLL CALL

Acting Mayor Levin presented the gavel to Mayor Morley who instructed Clerk Spencer to call the roll of the new Council. Roll call:

Present: Diane Gutenkauf, Marti Deuter, Bob Dunn, Norm Leader, Dannee Polomsky, Michael J. Bram, Stephen Hipskind, Kevin L. York, Scott Levin, Chris Healy, Jim Kennedy, Mark A. Mulliner, Patrick Wagner

Absent: None

Also in Attendance: City Treasurer Libovicz, City Attorney Storino, City Manager Grabowski, Assistant City Manager Kopp, Director of Finance & Administration Gaston, Director of Public Works Hughes, Fire Chief Bacidore, Police Chief Ruth, Deputy Police Chief Panico, Deputy Fire Chief Anaszewicz, Water/Wastewater Manager Smith, City Engineer Tiberi, Deputy Clerk Van De Walle, Deputy Clerk Cyprian, Human Resource Manager Johnson

APRIL 18TH STORM UPDATE & FLOOD MITIGATION UPDATE

3. Public Works & Buildings Committee Chairman, Alderman Kennedy stated he will review the process that was set up after the 2010 storm event and how it has been implemented. He also reviewed the upcoming \$6 million project in 2014 that should have a positive effect for many residents.

City Manager Grabowski recapped the April storm and the problems it presented to the City and its residents. He stated the President of the United States has to declare a disaster area before federal aid is available. He also stated municipalities may be eligible to receive approximately \$447,000 from insurance coverage.

City Manager Grabowski introduced Mr. Doug Gotham from Christopher B. Burke Engineering, Ltd. to present a PowerPoint on flood mitigation.

Mayor Morley stated this is a draft plan, a project of this type would require an intergovernmental agreement with the Park District and the School District. Mayor Morley stated Golden Meadows Park is located one and a half blocks south of East End Park, and is being used for the presentation.

Mr. Gotham took questions from the Council after his presentation.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

4. Robert Farr
285 Geneva Avenue
Elmhurst, IL 60126

Submitted a prepared statement regarding the recent flooding on Geneva Avenue and in East End Park.

PUBLIC FORUM

5. Kathleen Sullivan
133 Pine Street
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and the flooding damage. She asked Mayor Morley to take care of the citizens' needs and put the studies and plans into use.

Robert Farr
285 Geneva
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and the flooding damage. He thanked Alderman York and Public Works Director Hughes for their response, but the explanations are not sufficient.

Steven Koch

988 S. Bryan
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

Robert Hansel
473 Howard
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

Mike Killian
481 N. Howard
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding. He asked for more attention to the north side, stating sandbags were not delivered.

Gilbert R. Fischer
586 N. Van Auken
Elmhurst, IL 60126

Spoke regarding the tax increases. He also stated his residence had 3 ft. of water inside and outside.

Claude Pagacz
566 W. Gladys
Elmhurst, IL 60126

Addressed the residents stating it's not enough to speak out on issues of concern, everyone should follow up and hold Council accountable.

Jenn Vince
659 Prospect
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

Tamara Brenner
137 N. Caroline
Elmhurst, IL 60126

Reminded residents of the upcoming Zoning Board of Appeals Meeting regarding the Addison Street Conditional Use and Associated Variances will be held on May 9, 2013 at 7:30 p.m. in Council Chambers.

Traci Breen
156 Walnut
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

John Morrissey
460 Poplar
Elmhurst, IL 60126

Stated he is a York Township Trustee and will give City Manager Grabowski information regarding a link for a Storm Damage Assessment Relief Request 2013.

Jackie Fischer
949 Fairfield

Elmhurst, IL 60126

As one of the members of the Flood Task Force Sub-Committee, she suggested the City put the report of the sub-committee on the City website. She stated one-sided presentations are not meaningful to residents.

Michael Krumrey
570 W. Crockett
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

Laura Kaukas
212 Crescent Ave.
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

Greg Zerkis
311 W. Elm Park
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

Laura Zacharski
449 E. Park
Elmhurst, IL 60126

Spoke regarding the April 2013 storm and damages created by flooding.

ANNOUNCEMENTS

6. Alderman Gutenkauf announced she and Alderman Deuter will host a Town Hall Meeting at the Elmhurst Public Library on May 16, 2013 at 7:00 p.m. Alderman Gutenkauf announced Ward 1 has a new email address: ward1news@hotmail.com.

Clerk Spencer announced the Annual Spring Clean-Up will be held on June 12, 13 and 14 on your regularly scheduled refuse pick up day. Clerk Spencer announced York High School – Key Club is having a garage sale, all proceeds go to the Elmhurst Walk-In Ministry. It will be held on Saturday, May 11, 2013 7 a.m. – 2 p.m. on the front lawn of Bethel United Church of Christ, 315 E. St. Charles Rd. The Kiwanis Pancake Day Breakfast will be next door at Sandburg Middle School, starting at 6 a.m.

Alderman York announced the Elected Officials 10-mile Bike Ride will be held on Saturday, May 11, 2013 at 2 p.m. Alderman York announced the Kick Off for Kids Golf Outing will be held on Friday, May 31, 2013 in Lake Geneva. For more information, see www.kok.org.

CONSENT AGENDA

7. The following items on the Consent Agenda were presented:

- a. MINUTES OF THE REGULAR MEETING OF THE ELMHURST CITY COUNCIL ON APRIL 15, 2013 (City Clerk Spencer): Approve as published
- b. MINUTES OF THE EXECUTIVE SESSION OF THE CITY COUNCIL ON APRIL 15, 2013 (City Clerk Spencer): Approve as published
- c. ACCOUNTS PAYABLE APRIL 30, 2013 TOTAL \$1,814,489.44

- d. REAPPOINTMENT AND APPOINTMENT OF DEPUTY CITY CLERKS - VAN DE WALLE & CYPRIAN (City Clerk Spencer): Concur with the City Clerk's recommendation

May 1, 2013

To: Acting Mayor Levin and the Members of the City Council
Re: Reappointment and Appointment of Deputy City Clerks

With the advice and consent of the City Council of the City of Elmhurst, I hereby request the reappointment of Erin K. Van De Walle as Deputy City Clerk and the appointment of Ellen Cyprian as Deputy City Clerk during the term of my office. This appointment would be rescinded upon separation from service.

This complies with Section 3.04 of the Municipal Code allowing me to appoint one or more Deputy City Clerks.

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. BID RESULTS, 2013 SANITARY SEWER CIPP LINING (City Clerk Spencer): Refer to Public Works & Buildings Committee

May 1, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Bid Results, 2013 Sanitary Sewer CIPP Lining

In response to an invitation to bid for the 2013 Sanitary Sewer CIPP Lining #13-15, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, April 18, 2013. Bids were received from six contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 30, 2013 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Bid Total</u>
Visu-Sewer LLC Bridgeview, IL	\$780,839.00
Insituform Technologies Chesterfield, MO	\$798,716.00
SAK Construction LLC O'Fallon, MO	\$844,836.60
Hoerr Construction Inc. Peoria, IL	\$798,240.70
Michels Pipe Service Brownsville, WI	\$855,552.75
Kenny Construction Northbrook, IL	\$977,759.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- f. BID RESULTS, FIRE HYDRANT MATERIALS PROJECT #13-22 (City Clerk Spencer): Refer to Public Works & Buildings Committee

May 1, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Bid Results, Fire Hydrant Materials Project #13-22

In response to an invitation to bid for the Fire Hydrant Materials Project #13-22, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, April 18, 2013. Bids were received from three contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 30, 2013 by the City Clerk. The following is a summary of the bids received:

	ITEM	FIRE HYDRANT W/VALVE	
VENDOR		SIZE	UNIT PRICE
Mid American Water Aurora, IL	1	4.5	\$2,459.00
	2	5	\$2,502.00
			\$0.00
	3	6	\$2,588.00
	4	6.5	\$2,630.00
	5	7	\$2,672.00
		TOTAL	\$12,851.00
HD Waterworks Carol Stream, IL	1	4.5	\$2,460.00
	2	5	\$2,504.00
			\$0.00
	3	6	\$2,589.00
	4	6.5	\$2,632.00
	5	7	\$2,670.00
		TOTAL	\$12,855.00
Ziebell Elk Grove, IL	1	4.5	\$2,550.00
	2	5	\$2,599.00
		5.5	\$0.00
	3	6	\$2,645.00
	4	6.5	\$2,705.00
	5	7	\$2,760.00
		TOTAL	\$13,259.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. BID RESULTS, FORD EXPLORERS (City Clerk Spencer): Refer to Public Works & Buildings Committee

May 1, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Bid Results, Ford Explorers

In response to an invitation to bid for Three (3) 2013 or Current Model Year Ford Explorers, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, April 4, 2013. Bids were received from six contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 23, 2013 by the City Clerk. The following is a summary of the bids received:

One (1) 2013 Ford Explorer to:

Contractor	Replace E-29 Total Price	Replace PD-22 Total Price	Replace F-5 Total Price
Roesch Ford Bensenville, IL	\$28,428.00	\$24,420.00	\$28,420.00
Haggerty Ford West Chicago, IL	\$28,022.00	\$25,612.00	\$27,877.00
Haggerty Ford Alternate Bid West Chicago, IL	\$29,285.00	\$26,875.00	\$29,135.00
Packy Webb Ford Downers Grove, IL	\$29,151.00	\$23,851.00	\$26,451.00
Currie Motors Frankfort, IL	\$29,153.00	\$26,153.00	\$28,533.00
Freeway Ford Lyons, IL	\$28,998.00	\$24,198.00	\$27,848.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- h. REPORT - CASE NUMBER 13P-02/CHICK-FIL-A CONDITIONAL USE AND ASSOCIATED VARIANCES The following report of the Development, Planning & Zoning Committee was presented for passage:

April 29, 2013

To: Acting Mayor Levin and Members of City Council

Re: Case Number 13P-02/Chick-fil-A Conditional Use and Associated Variations

Request for Conditional Use Permit and Associated Variations for the purpose of constructing and operating a drive through restaurant on property commonly known as 235 S. Route 83 (PIN 06-03-417-013), said property being wholly located in the C2 Community Shopping and Service District.

The Development, Planning and Zoning Committee met on April 8 and April 22, 2013 to review the Zoning & Planning Commission report dated April 3, 2013 unanimously recommending approval of the subject request. The Committee also reviewed the Applicant's submittal documents and the transcripts of the public hearing.

Committee Members had also visited subject site.

The Applicant proposes to construct and operate a stand-alone 4800 +/- square foot Chick-fil-A restaurant on a leased portion of the Elmhurst Crossing Shopping Center. The Applicant's request for consideration and approval of Conditional Use(s) and Variation(s) is three-fold:

- A request for a Conditional Use Permit for the drive-through,
- A request for a Conditional Use Permit for a pylon sign, and
- A request for Variations for wall sign area.

Request for Conditional Use for a Drive-Through Restaurant:

The Applicant has designed a dual drive-through capable of accommodation 22 queued automobiles. A "rule of thumb" used over the years for drive-through establishments has been a queuing requirement of seven (7) automobiles. Depending on the use, the queuing requirements vary from the minimum queuing required for pharmacies to the large queuing requirements of fast-food establishments. The Committee found that the Applicant's proposal for a queuing capacity of 22 automobile is adequate for the intended operation and use.

The Committee reviewed the vehicular circulation within the shopping center as it relates to the proposed restaurant, noting that a professional traffic study prepared by KLOA concluded that “.....this proposed development will have a low impact on the overall area.”

The Committee notes that the leased parcel meets the parking requirements of the Zoning Ordinance; the parking supply for the remainder of the shopping center also complies with the requirements of the Zoning Ordinance.

Request for Conditional Use for a Pylon Sign:

The Elmhurst Zoning Ordinance allows pylon signs in the C2 District as a Conditional Use not to exceed 20 feet above grade and 100 square feet of sign area per sign face, nor more than 200 square feet total (both faces).

The proposed pylon sign will be 20 feet in height and will have an area of 64.1 square feet per face, 128.2 both faces), and will be located near the Route 83 right-of-way towards the south end of the proposed restaurant.

The Committee notes that the shopping center monument (pylon) signs are approximately 35 feet in height with approximately 144 square feet per face (288 both faces).

Therefore, the requested pylon sign meets the requirements for Conditional Use Pylon Signs in the C2 District.

Request for Wall Sign Area Variations:

The C2 District allows wall signs up to 25 square feet in area. The Committee notes that C2 zoning districts are typically along minor arterials, such as York Street and St Charles Road, where the lots are smaller and typically abutting single family residential properties. The C2 districts are also characterized by buildings that have a zero (0) setback from the front property line (sidewalk) which reduces the size of wall signs necessary to effectively convey a message to the public. The subject shopping center site is an anomaly of the C2 zoning district in that it is a very large parcel with much greater front setbacks from the public way. As a result, signs need to be larger to be visible and legible from the public way - in this case Route 83 with six lanes of traffic moving at 45 miles-per-hour.

The Applicant is proposing to install five (5) wall signs, four (4) of which require variation from the requirements of the Zoning Ordinance. The requested wall sign variations are for the following signs:

- 58.75 square feet on the south elevation (sign “A”),
- 47.63 square feet on the east elevation (sign “B”),
- 37.67 square feet on the west elevation (sign “D”), and
- 36.75 square feet also on the west.

The Zoning Ordinance requires that signs be measured by computing the area of the smallest regular geometric figure that can encompass all words, figures, emblems and other elements of the sign message. Because the proposed signs have a large letter “C” in the sign, the area measured increases even though the additional area does not contain sign messages or elements of the sign message.

If the sign areas were calculated by boxing out the large “C” and the remaining letters separately the calculation of sign areas would be as follows:

- 36.44 square feet on the south elevation (sign “A”),
- 29.61 square feet on the east elevation (sign “B”),
- 25.0 square feet on the west elevation (sign “D”), and
- 36.75 square feet also on the west elevation (this sign, “The Original Chicken Sandwich” measures 36.75 and does not have any “dead space”).

The Committee also notes that the Elmhurst Crossing Shopping Center was established with a Development Agreement as a Tax Increment Financing District (TIF 3). The sizes of signs in the shopping center were established in the original Development Agreement, which sign sizes have been maintained as tenants change over the years. Of the 27 wall signs in the shopping center, 23

exceed 25 square feet in area ranging from 25.7 square feet to 248 square feet. Photographs of the signs in the Elmhurst Crossing Shopping Center, as well as a list describing the signs in the shopping center are attached.

In consideration of the proposed redevelopment of subject site, the Development, Planning and Zoning Committee agrees with the Findings of the Zoning & Planning Commission that the Applicant has provided sufficient evidence to support the approval of this request and has met the Standards for Conditional Use for the drive-through and pylon sign as well as the Standards for Variations for the proposed wall signs.

Therefore, the Development, Planning and Zoning Committee recommends that the City Council approve the Applicant's request for Conditional Use and associated Variations. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,
Development, Planning and Zoning Committee
/s/ Steven Morley
Chairman
/s/ Dannee Polomsky
Vice-Chairman
/s/ Norman Leader

- i. O-25-2013 - AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE REPLACEMENT VEHICLE FOR THE CITY OF ELMHURST PUBLIC WORKS DEPARTMENT, UTILITY DIVISION AND AUTHORIZING THE DISPOSAL OF ONE FORD F250 TRUCK

Ordinance O-25-2013 was presented for passage.

- j. O-26-2013 - AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN ELMHURST JAYCEES, INC. AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS FOR THE 2013 JAYCESS CARNIVAL

Ordinance O-26-2013 was presented for passage.

- k. O-27-2013 - AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN PATHWAY COMMUNITY CHURCH AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS FOR THE ONE GATHERING

Ordinance O-27-2013 was presented for passage.

- l. MCO-05-2013 - AN ORDINANCE AMENDING SECTION 44.92 ENTITLED, "STOP INTERSECTIONS ENUMERATED," OF ARTICLE VI ENTITLED, "SPECIAL STOPS," OF CHAPTER 44 ENTITLED "MOTOR VEHICLES AND TRAFFIC" OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, ILLINOIS (Emroy/Lake Street Frontage)

Ordinance MCO-05-2013 was presented for passage.

- m. ZO-03-2013 - AN ORDINANCE GRANTING A VARIATION FROM THE REAR YARD SETBACK REQUIREMENTS AT THE PROPERTY COMMONLY KNOWN AS 310 SOUTH PROSPECT AVENUE, ELMHURST, ILLINOIS (PIN 06-02-403-045)

Ordinance ZO-03-2013 was presented for passage.

- n. ZO-04-2013 - AN ORDINANCE GRANTING A VARIATION FROM THE FRONT YARD SETBACK REQUIREMENTS AT THE PROPERTY COMMONLY KNOWN AS 141 NORTH LARCH AVENUE, ELMHURST, ILLINOIS (PIN 06-02-220-003)

Ordinance ZO-04-2013 was presented for passage.

- o. R-19-2013 - A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2013 CONTRACT PAVING PROGRAM FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-19-2013 was presented for passage.

- p. R-20-2013 - A RESOLUTION APPROVING AND ADOPTING AN ASSIGNED VEHICLE USE POLICY FOR THE CITY OF ELMHURST

Resolution R-20-2013 was presented for passage.

- q. R-21-2013 - A RESOLUTION TO IDENTIFY LEGAL SIGNATORIES AND DEPOSITORIES FOR THE CITY OF ELMHURST

Resolution R-21-2013 was presented for passage.

- r. R-22-2013 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF ELMHURST AND ROBINSON ENGINEERING, LTD. FOR THE EFFLUENT SAMPLING STATION PROJECT

Resolution R-22-2013 was presented for passage.

- s. R-23-2013 - A RESOLUTION AUTHORIZING THE PURCHASE OF PARKWAY TREES FOR PLANTING WITHIN THE CITY OF ELMHURST

Resolution R-23-2013 was presented for passage.

- t. R-24-2013 - A RESOLUTION APPROVING AND AUTHORIZING THE PLANTING OF PARKWAY TREES FOR THE 2013 TREE PURCHASE & PLANTING PROGRAM IN THE CITY OF ELMHURST, ILLINOIS

Resolution R-24-2013 was presented for passage.

Alderman Gutenkauf pulled item **7h. Report - Case Number 13P-02/Chick-fil-A Conditional Use and Associated Variances** from the Consent Agenda.

Alderman Hipskind moved to approve the contents of the Consent Agenda less item **7h. Report - Case Number 13P-02/Chick-fil-A Conditional Use and Associated Variances**. Alderman Levin seconded. Roll call vote:

Ayes: Hipskind, Levin, Healy, Kennedy, Mulliner, Wagner, Gutenkauf, Deuter, Dunn, Leader, Polomsky, Bram

Nays: None

Results: 13 ayes, 0 nays, 0 absent
Motion duly carried

Alderman Polomsky moved to accept item **7h. Report - Case Number 13P-02/Chick-fil-A Conditional Use and Associated Variances**. Alderman Leader seconded.

Alderman Polomsky stated this is a request for conditional use and variances for the Chick-fil-A applicant.

Alderman Gutenkauf stated she pulled item **7h. Report - Case Number 13P-02/Chick-fil-A Conditional Use and Associated Variances** to ask the Committee to recap their conversations regarding the flooding issues at this location.

Alderman Polomsky stated the Committee fully reviewed the request and decided to take additional time to finalize their recommendation. In that time, the April storm occurred and additional information was included to deal with the water collection at this location.

Alderman Gutenkauf stated she has concerns about bicycle accessibility to the restaurant.

Alderman Polomsky stated there are plans for bicycle parking.

Alderman Bram, point of order, bicycles are not related to the Committee report.

No further discussion.

Roll call vote on item **7h. Report - Case Number 13P-02/Chick-fil-A Conditional Use and Associated**

VariANCES:

Ayes: Polomsky, Leader, Bram, Hipkind, York, Levin, Healy, Kennedy, Mulliner, Wagner, Gutenkauf, Deuter, Dunn

Nays: None

Results: 13 ayes, 0 nays, 0 absent
Motion duly carried

ORDINANCES

8. a. O-28-2013 - AN ORDINANCE APPROVING THE TWENTY-NINTH AMENDMENT TO REAL ESTATE PURCHASE CONTRACT FOR THE PURCHASE OF THE REAL PROPERTY COMMONLY KNOWN AS 260 NORTH YORK STREET, ELMHURST, ILLINOIS ("PAULI") (DUE DILEGENCE EXTENSION)

Ordinance O-28-2013 was presented for passage.

Alderman Levin moved to approve item **8a. O-28-2013 - An Ordinance Approving the Twenty-Ninth Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst, Illinois ("Pauli") (Due Dilegence Extension)**. Alderman York seconded. Roll call vote:

Ayes: Levin, York, Healy, Kennedy, Mulliner, Wagner, Gutenkauf, Deuter, Dunn, Leader, Polomsky, Bram, Hipkind

Nays: None

Results: 13 ayes, 0 nays, 0 absent
Motion duly carried

- b. O-29-2013 - AN ORDINANCE APPROVING THE TWENTY-NINTH AMENDMENT TO REAL ESTATE PURCHASE CONTRACT FOR THE PURCHASE OF THE REAL PROPERTY COMMONLY KNOWN AS 260 NORTH YORK STREET, ELMHURST, ILLINOIS ("PAULI") (CONTRACT AMENDMENT)

Ordinance O-29-2013 was removed from the agenda by Mayor Morley.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

9. a. MAYOR MORLEY

Mayor Morley thanked City staff, Elected Officials, and the residents for their teamwork during the flood. He stated our federal, state, and local officials have pledged their support to help our community. He also encouraged every resident to sign up for "Notify Me", an online program.

Mayor Morley stated he has 60 days to find a replacement for his 6th Ward Aldermanic seat. He stated he is taking applications. He asked Council to turn in their Committee assignment preferences as soon as possible.

Alderman Bram commented on a statement made during Public Forum, stating new construction must be in compliance with the City Code as it pertains to new foundations put in higher than what was previously there. He asked residents to report any discrepancy to the Community Development Department or their Elected Officials so proper steps can be taken.

Alderman Bram clarified that "Notify Me" can send both emails and texts.

Mayor Morley stated tonight the Council approved item **7d. Reappointment and Appointment of Deputy City Clerks - Van De Walle & Cyprian** which reappointed Erin Van De Walle as Deputy Clerk and appointed Ellen Cyprian as Deputy Clerk. He stated Clerk Spencer informed him that the International Institute of Municipal Clerks is celebrating its 44th Annual Municipal Clerk's Week, May 5th through May 11th, 2013. Few people realize the Clerk is one of the oldest positions of local government. The City Clerks and their Deputies provide vital services for their communities. Mayor Morley thanked Clerk Spencer and Deputy Clerks Van De Walle and Cyprian for their customer service to our community.

b. CITY MANAGER GRABOWSKI

No report.

OTHER BUSINESS

10. Mayor Morley asked Alderman Levin to join him at the podium to receive a Distinguished Service Award to recognize his outstanding performance for the five months he served as Acting Mayor. Several Council members thanked Alderman Levin for his great job as Acting Mayor.

ADJOURNMENT

11. Alderman York moved to adjourn the meeting. Alderman Deuter seconded. Voice vote, motion carried. Meeting adjourned 9:35 p.m.

Steven M. Morley, Mayor

Patty Spencer, City Clerk